

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FIDELITY INSURANCE COMPANY,)	
et al.,)	
)	
Plaintiffs,)	No. 4:03-CV-1521-HEA
)	
v.)	
)	
EXPRESS SCRIPTS, INC., et al.,)	
)	
Defendants.)	

STIPULATION OF DISMISSAL WITH PREJUDICE

Fidelity Insurance Company ("FIC"), Fidelity Benefit Administrators, Inc. ("FBA"), Fidelity Insurance Group, Inc., and United Healthcare, Inc. ("Fidelity") and Express Scripts, Inc., Express Scripts Utilization Management Co., and ESI Mail Service, Inc. ("Express Scripts"), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate as follows:

1. FIC and FBA dismiss their claims with prejudice.
2. Express Scripts dismisses its counterclaims and third-party claims with prejudice contingent upon payment of an agreed sum to Express Scripts, which payment has been satisfied; and
3. Each party shall bear its own attorneys' fees, costs, and expenses incurred in the defense and prosecution of this action.

The undersigned counsel represent and warrant that they have the consent and authorization of their respective clients to enter into this Stipulation.

Dated: August 8, 2011.

Respectfully Submitted,

/s/ Thomas M. Dee

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